

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

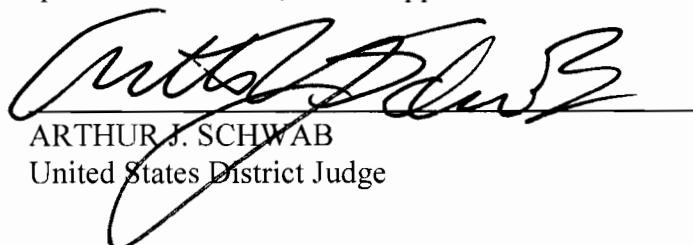
CHRISTIAN NLANDU MBENGO, )  
Petitioner )  
vs. )  
WARDEN MR. MILLWARD, ) Civil Action No. 06-1208  
Moshannon valley Correction Center ) Judge Arthur J. Schwab/  
Respondent ) Magistrate Judge Amy Reynolds Hay

**ORDER**

AND NOW, this 1<sup>st</sup> day of December, 2006, after the petitioner, Christian Nlandu Mbengo, filed an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and petitioner having filed a response concurring with the report and recommendation, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the petition is transferred to the United States District Court for the Middle forthwith pursuant to 28 U.S.C. Section 1406(a).

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the petitioner desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

  
ARTHUR J. SCHWAB  
United States District Judge

cc: Honorable Amy Reynolds Hay  
United States Magistrate Judge

Christian Nlandu Mbengo  
56786-019  
Moshannon Valley Correctional Center  
555 Cornell Drive  
Philipsburg, PA 16866